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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,481	11/28/2001	Christy R. Martin	11345.032002	2343
22511	7590	11/25/2005	EXAMINER	
OSHA LIANG L.L.P. 1221 MCKINNEY STREET SUITE 2800 HOUSTON, TX 77010			ZHOU, TING	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995,481

Applicant(s)

MARTIN ET AL.

Examiner

Ting Zhou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed on 7 September 2005 have been received and entered. Claims 1-2 and 4 as amended are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen et al. U.S. Patent 6,239,794 (hereinafter "Yuen") and McGarry U.S. Patent 6,859,907.

Referring to claim 1, Yuen teaches a portal comprising a display connected to a remote terminal for displaying an arrangement of cells (the TV display is remotely connected to the broadcast center in order to receive television signals and display broadcast programs; the TV display displays an arrangement of cells as shown in Figures 2-5) (Yuen: column 4, lines 14-55 and Figure 1), each cell comprising a visual object and an underlying application that is displayed upon user selection of the cell (in the displays shown in Figures 2-5, an arrangement of cells are shown, each with a visual object, i.e. displayed text or picture, and an associated application, or function, i.e. an associated program being broadcasted or listed, the program being displayed in the PIP window upon user selection) (Yuen: column 2, lines 5-35 and column 5, line 16 – column 6, line 51); and a user input device for inputting user inputs to select one of

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the cells (the remote controller shown in Figure 6 accepts user inputs for selection of cells such as program listings) (Yuen: column 7, lines 15-33), wherein at least one cell of the arrangement of cells displays one of a plurality of programs received from a broadcast center and wherein at least one cell is sensitive to the context of a cell displaying a program (as shown in Figures 2-5, cell 42, i.e. the PIP window, displays a current television program while cell 44 displays a program description of the broadcasted program shown in the PIP window 42) (Yuen: column 2, lines 5-35 and column 5, line 16 – column 6, line 51). However, Yuen fails to explicitly teach the underlying application being launched from behind the cell upon user selection of the cell. McGarry teaches an interface that displays an arrangement of cells (McGarry: Figure 3) similar to that of Yuen. In addition, McGarry teaches that an underlying application is launched from behind the cell upon user selection of the cell (data underlying a cell is displayed upon user selection) (McGarry: column 3, lines 30-40 and Figure 5). It would have been obvious to one of ordinary skill in the art, having the teachings of Yuen and McGarry before him at the time the invention was made, to modify the display of an arrangement of cells of Yuen to include the display of information from behind the cell upon user selection taught by McGarry. One would have been motivated to make such a combination in order to make efficient use of a given display area while simultaneously handling large data sets of information; this combination allows the system to manipulate a large amount of information while conserving screen space for the display of relevant information.

Referring to claim 2, Yuen, as modified, teaches the cells include one or more dynamically changing cells (for example, cell 42 shown in Figure 2 displays real-time images of the current television program selected by the user and changes dynamically in response to user

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selections of different programs from the program listings guide) (Yuen: column 5, line 16 – column 6, line 51).

Referring to claim 4, Yuen teaches a method comprising receiving a plurality of broadcast programs (the television receiver receives broadcasting programs to be displayed in cell 42 of Figures 2-5) (Yuen: column 4, lines 5-55 and column 16, lines 13-18); and generating a portal comprising a plurality of cells containing live video of at least some of the received program (the TV display displays an arrangement of cells as shown in Figures 2-5; cell 42 contains and displays live, or real-time images of currently broadcasting programs) (Yuen: column 2, lines 5-35 and column 5, line 16 – column 6, line 51), wherein at least one of the plurality of cells comprises a visual object and an underlying application that is displayed upon user selection of the at least one cell (in the displays shown in Figures 2-5, an arrangement of cells are shown, each with a visual object, i.e. displayed text or picture, and an associated application, or function, i.e. an associated program being broadcasted or listed, the program being displayed in the PIP window upon user selection) (Yuen: column 2, lines 5-35 and column 5, line 16 – column 6, line 51); and at least one further cell of the plurality of cells associated with an application whose function is dependent on the context of a cell containing a live video (cell 44 in Figures 2-5 displays a program description of the broadcasted program shown in the cell 42; in other words, the description displayed in cell 44 is dependent upon the context of cell 42, i.e. the program being displayed in cell 42) (Yuen: column 2, lines 5-35 and column 5, line 16 – column 6, line 51). However, Yuen fails to explicitly teach the underlying application being launched from behind the cell upon user selection of the cell. McGarry teaches an interface that displays an arrangement of cells (McGarry: Figure 3) similar to that of Yuen. In

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addition, McGarry teaches that an underlying application is launched from behind the cell upon user selection of the cell (data underlying a cell is displayed upon user selection) (McGarry: column 3, lines 30-40 and Figure 5). It would have been obvious to one of ordinary skill in the art, having the teachings of Yuen and McGarry before him at the time the invention was made, to modify the display of an arrangement of cells of Yuen to include the display of information from behind the cell upon user selection taught by McGarry. One would have been motivated to make such a combination in order to make efficient use of a given display area while simultaneously handling large data sets of information; this combination allows the system to manipulate a large amount of information while conserving screen space for the display of relevant information.

Response to Arguments

3. Applicant's arguments with respect to claims 1-2 and 4 have been considered but are moot in view of the new ground(s) of rejection.
4. The applicant argues that Yuen fails to teach an underlying application associated with a cell that is launched from behind the cell to be displayed for a user upon selection of the cell. This deficiency is remedied by the combination of Yuen and McGarry.
5. The applicant further argues that Yuen fails to disclose or suggest a plurality of cells that can be displayed simultaneously. The examiner respectfully disagrees. As displayed in Figure 33 for example, Yuen shows that there is a plurality of cells, i.e. a plurality of listed programs, each program displayed on an individual line, or cell. Each of the cells shown in Figure 33

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displays a different visual object, i.e. "Fox 11 Married with Children", "ABS 7 Eyewitness News at 6", etc. and contains different underlying programs, i.e. a different program or show associated with their respective channels (the cell displaying "Fox 11 Married Children" has an associated program of Married with Children that will be displayed upon user selection; similarly, the cell displaying "ABS 7 Eyewitness News at 6" has a different associated program of the 6 O'clock news). Therefore, the examiner respectfully argues that Yuen teaches the simultaneous display of a plurality of cells that the user can scroll through on one display.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ



CAO (KEVIN) NGUYEN
PRIMARY EXAMINER